

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION

CAITLIN WILLIAMS, individually
and on behalf of all others similarly
situated,

Plaintiff,

vs.

NURTURE, INC.; JOHN DOES 1-50,
and ABC BUSINESSES 1-20,

Defendants.

CV 21-44-M-DLC

ORDER

Before the Court is the parties' Stipulation for Transfer of Venue Pursuant to 28 U.S.C. § 1404(a). (Doc. 7.) The parties ask this Court to transfer the above-captioned matter to the United States District Court for the Southern District of New York. (*Id.* at 1–2.) This joint request is premised on two stipulations. (*Id.* at 2–3.) First, the Plaintiff has agreed to file an amended complaint removing “two products liability related causes of action.” (*Id.* at 3.) Second, Defendant Nurture, Inc. has agreed “not to oppose consolidation of this action with” a related case pending in the Southern District of New York. (*Id.*)

Federal law permits this Court to transfer an action to any district “to which all parties have consented” when supported by “the convenience of parties or witnesses” or “in the interest of justice.” 28 U.S.C. § 1404(a). Here, the Court

trusts the parties' representations that there are several pending cases in the Southern District of New York advancing similar claims against Nurture, Inc. to those advanced in this action. (Doc. 7 at 2.) Based on this representation, the Court agrees the convenience of parties and witnesses and the interests of justice support the transfer of this action to the Southern District of New York.

Accordingly, IT IS ORDERED that the Clerk of Court shall TRANSFER the above-captioned matter to the United States District Court for the Southern District of New York.

IT IS FURTHER ORDERED that such transfer is conditioned on fulfillment of the parties' respective stipulations. The Court notes that the Plaintiff has filed an amended complaint but offers no conclusions on whether this amended pleading conforms with the parties' stipulation.

DATED this 11th day of August, 2021.



Dana L. Christensen, District Judge
United States District Court